

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ARISTA RECORDS LLC; ATLANTIC
RECORDING CORPORATION; BMG
MUSIC; CAPITAL RECORDS, INC.;
CAROLINE RECORDS, INC.; ELEKTRA
ENTERTAINMENT GROUP, INC.;
INTERSCOPE RECORDS; LAFACE
RECORDS LLC; MAVERICK RECORDING
COMPANY; SONY BMG MUSIC
ENTERTAINMENT; UMG RECORDINGS,
INC.; VIRGIN RECORDS AMERICA, INC.;
WARNER BROS. RECORDS INC.; and
ZOMBA RECORDING LLC,

Plaintiffs,

vs.

USENET.COM, INC.,

Defendants.

Civil Action No. 07-CIV-8822(HB)

**NOTICE OF MOTION TO DISMISS FOR
LACK OF PERSONAL JURISDICTION,
OR ALTERNATIVELY, TO TRANSFER**

PLEASE TAKE NOTICE that, upon the December 5, 2007 Memorandum of Law in Support of Defendant Usenet.Com, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction, or Alternatively, to Transfer, Defendant Usenet.Com, Inc. hereby moves this Court, before the Hon. Harold Baer, Jr., in Courtroom 2230, 500 Pearl Street, New York, NY, for an order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, dismissing the claim against it in Plaintiffs' Complaint, or alternatively, for an order pursuant to 28 U.S.C. Sections 1404, 1406, and 1631, transferring this action to the District Court for the District of North Dakota, and granting such other and further relief as the Court deems just and proper.

FURTHER, Defendant Usenet.com requests oral argument on this motion.

Dated: December 5, 2007.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that the foregoing pleading was filed by means of the Court's ECF system on December 5, 2007. Accordingly, it is assumed that all counsel of record received notice of this filing from the ECF system. Lead counsel, listed below, will also receive a courtesy copy via email.

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